

RECEIVED
CENTRAL FAX CENTER

MAY 21 2004

004

#7/A
W. J. J. J.
6/7/04

OFFICIAL

DOCKET NO. 70681/7236

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/898,479

Applicant(s): Lamkin, Allan

Filed: July 2, 2001

Title: SYSTEM, METHOD AND ARTICLE OF
MANUFACTURE FOR A COMMON
CROSS PLATFORM FRAMEWORK
FOR DEVELOPMENT OF DVD-VIDEO
CONTENT INTEGRATED WITH ROM
CONTENT

Examiner: Faile, Andrew I.

Art Unit: 2611

Customer No.: 22242

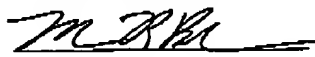
Confirm. No.: 8448

CERTIFICATE OF
TRANSMISSION/MAILING

I hereby certify that this correspondence is
being facsimile transmitted to the USPTO or
deposited with the United States Postal
Service with sufficient postage as first class
mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on this date:

5/21/04

Date


Martin R. Bader
Registration No. 54,736
Attorney for Applicant(s)

PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests the following amendments to the application be
entered:

05/05/2004 CLASSIFIED 00000005 061375 03853475

05/20/2004 172.00 39
05/20/2004 5.00 59

Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">for FY 2004</h2> <p style="text-align: center;"><i>Effective 10/01/2003. Patent fees are subject to annual revision.</i></p>		Complete if Known		
		Application Number	09/898,479	
		Filing Date	07/02/2001	
		First Named Inventor	Lamkin, Allan	
		Examiner Name	Falle, Andrew I.	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2811	
TOTAL AMOUNT OF PAYMENT		(\$494.00	Attorney Docket No.	70681/7236

METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 06-1135 Deposit Account Name: Filch, Even, Tabin & Flannery The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>2053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,940*</td> <td>1805</td> <td>1,940*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,320</td> <td>2453</td> <td>665</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>665</td> <td>Utility issue fee (or release)</td> <td></td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>540</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(a)</td> <td></td> </tr> <tr> <td>1808</td> <td>180</td> <td>1808</td> <td>180</td> <td>Submission of Information Disclosure Sheet</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (lines number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	2053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,940*	1805	1,940*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,320	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or release)		1502	480	2502	240	Design issue fee		1503	540	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(a)		1808	180	1808	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment per property (lines number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																		
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																	
1053	130	2053	130	Non-English specification																																																																																																																																																																																	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
1805	1,940*	1805	1,940*	Requesting publication of SIR after Examiner action																																																																																																																																																																																	
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																	
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																	
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																	
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																	
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																	
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																	
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																	
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																	
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																	
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																	
1453	1,320	2453	665	Petition to revive - unintentional																																																																																																																																																																																	
1501	1,330	2501	665	Utility issue fee (or release)																																																																																																																																																																																	
1502	480	2502	240	Design issue fee																																																																																																																																																																																	
1503	540	2503	320	Plant issue fee																																																																																																																																																																																	
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																	
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)																																																																																																																																																																																	
1808	180	1808	180	Submission of Information Disclosure Sheet																																																																																																																																																																																	
8021	40	8021	40	Recording each patent assignment per property (lines number of properties)																																																																																																																																																																																	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																	
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																	
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																	

1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$00.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims		Extra Claims		Fee from below	
60	-23**=	31	X	9.00	= 279.00
Independent Claims	17	-2**=	5	X	43.00 = 216.00
Multiple Dependent					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$494.00)

*or number previously paid, if greater; For Reissues, see above

Other fee (specify) _____
 *Reduced by Basic Filing Fee Paid
SUBTOTAL (3) (\$00.00)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Martin R. Bader	Registration No. (Attorney/Agent)	54,736
Signature		Telephone	858-552-1311
		Date	5/21/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-788-9199) and select option 2.


PTO/SB/21 (08-03)

Approval for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/898,479	
	Filing Date	07/02/2001	
	First Named Inventor	Lamkin, Allan	
	Art Unit	2611	
	Examiner Name	Falle, Andrew I.	
Total Number of Pages in This Submission	18	Attorney Docket Number	70681/7236

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Fax Cover Sheet
REMARKS: - Preliminary Amendment Under 37 C.F.R. § 1.115		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual name	Martin R. Bader, Reg. No. 54,736	
Signature		
Date	May 21, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 the date shown below.			
			May 21, 2004
Typed or printed name	Martin R. Bader		
Signature		Date	May 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Fitch, Even, Tabin & Flannery***Intellectual Property Law***RECEIVED
CENTRAL FAX CENTER**

MAY 21 2004

OFFICIAL**F A C S I M I L E**

Name: United States Patent and Trademark Office
FAX: (703) 872-9306

Today's Date: May 21, 2004
From: Martin R. Bader, Reg. No. 54,736
Application No.: 09/898,479
Filing Date: 07/02/2001
Inventor: Lamkin, Allan
Group Art Unit: 2611
Examiner: Faile, Andrew I.
Customer No. 22242
Confirmation No. 8448

Attorney Docket No.: 70681/7236
Pages: Eighteen (18) (including this 1-page coversheet)
Dispatched by: Martin R. Bader

Transmitted herewith via facsimile:

Transmittal (1 pg.); Fee Transmittal (1 pg.); Preliminary Amendment
Under 37 C.F.R. § 1.115 (15 pgs.); Fax Cover Sheet (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

9276 Scranton Road, Suite 250
San Diego, CA 92121
Telephone 858-552-1311
Fax 858-552-0095